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Weather for Friday.

Fair.

The Metals.

Silver, 62 1/2¢ per ounce.
Copper (cathodes), 13¢ per pound.
Lead, 14 1/2¢ per 100 pounds.

MEMBERS OF UPPER HOUSE VERY GROUCHY

Senator LaFollette Too Ill to Continue His Speech at Night Session.

STAND-PAT ELEMENT INCLINED TO SARCASM

BORAH, DOLLIVER, BEVERIDGE AND OTHERS RESENT REMARKS OF ALDRICH.

Washington, June 3.—The atmosphere of the senate chamber was surcharged with electricity tonight when the tariff bill was taken up at 8 o'clock in the first night session since congress was convened. Fifty-four senators were present. Every Republican senator in the city except Mr. LaFollette was in his seat and his absence was the subject of criticism. The sincerity of his attitude on the tariff bill was questioned and finally serious attacks upon him were made by conservative Republicans in charge of the bill and a spirited defense came from the insurgents and Democrats.

Another outbreak is most sure to occur when the Wisconsin senator again gets the floor.

Calling attention to a recess taken in the senate yesterday in order to give Mr. LaFollette an opportunity to rest and to his failure to do so on tonight to resume his remarks, the stand-pat element showed that he had received unusual consideration.

LaFollette Defended.

Mr. Beveridge in defending Mr. LaFollette, asserted that no senator would question that Mr. LaFollette was ill and needed the rest. Mr. Penrose declared that he would be able to prove that Mr. LaFollette was well enough to be about on the streets, "consulting with the representatives of yellow journals and up-lift magazines."

Prompt defense of LaFollette came from Senators Borah and Dolliver, Republicans, and Money, Democrat. Mr. Beveridge suggested that the senate should adjourn for a reasonable time to give Mr. LaFollette an opportunity to recover and resume his speech.

Mr. Aldrich opposed the suggestion, saying that while the senators sympathized with Mr. LaFollette, there was no reason why Mr. Beveridge should not make his own speech if he desired.

Mr. Beveridge immediately interrupted Mr. Aldrich and refused to yield further to him, saying: "I decline to yield because it is not a question of sympathy, and in the second place, I have no speech to make."

All Were Irritable.

Ill feeling was apparent on every side. Mr. Dolliver suggested that Mr. Aldrich might take the opportunity to make certain statements which he said had been furnished to the senate for four weeks.

Mr. Aldrich replied that he would show them time to make any speech that he desired.

Feeling that Mr. LaFollette had been insulting to him, when he had asked permission to interrupt the senator from Wisconsin, Mr. Gallinger (N. H.), said an unusual courteous remark about Mr. LaFollette yesterday when the senate took a recess to give Mr. LaFollette time to recuperate.

Criticism of Borah.

Mr. Borah sharply criticized the practice of making charges against a senator in his absence.

Mr. Dolliver followed with a declaration that he was near Mr. LaFollette when he was speaking yesterday, and that it did not require the services of a physician to prove that he was suffering severely.

Mr. Money, defending the Wisconsin senator, declared that he could hear him breathing heavily.

To end the discussion Mr. Aldrich suggested that the senate pass over the cotton schedule temporarily and proceed to the consideration of the flax and hemp schedules.

This met with general approval, but was followed by further discussion of the question of courtesies extended to senators who become ill while in possession of the floor. Mr. Beveridge became irritated when Mr. Scott (W. Va.) suggested that he should obtain permission from the senator holding the floor before addressing the senate. Mr. Beveridge said senators were equally intelligent and did not need to be instructed in the protocols of procedure by another.

Mr. Scott said something about a "bore," and Mr. LaFollette replied that he did not propose to leave the senator from West Virginia to strut his stuff.

More Tariff.

The senate proceeded with the flax schedule and Mr. Bradley (Ky.), offered an amendment taking jute and jute butts from the free list and assessing a duty of 10 cents a pound.

"If there is anything that is imported free of duty that is a source of disgust, it is jute," said Mr. Bradley.

The Bradley amendment was adopted.

Continued on Page 2.

SUSPECTS ARE OLD OFFENDERS

Men Under Arrest at Omaha for Overland Limited Job Have Bad Records.

KNOWN TO SPOKANE POLICE

TWO OF THEM MAY BE ESCAPED CONVICTS FROM CALIFORNIA.

Omaha, Neb., June 3.—W. D. Woods, Fred Torgensen and James Gordon, the three federal prisoners bound over for the Overland Limited train robbery, were positively identified by Detective Alexander MacDonald of the Spokane police, who arrived in Omaha today.

MacDonald declares the man calling himself Woods is Dan Downer, notorious in the northwest as a desperate character, who has served time for horse stealing. He and Torgensen, MacDonald says, are now wanted at Waterbury, Wash., for safe-blowing and bond-jumping.

A brother of Downer is said to have been killed by officers in a dining hold-up in Stevens county, Washington, when his partner, Claude Wells, was also killed. Gordon's real name is Gordon M. Golden, and he is known to have associated with Downer, Torgensen and other criminals in the northwest. He is a brother of Joe Golden, who has a police record.

Detective MacDonald says he believes Charles R. Speltz, the fourth suspect, who was arrested at Denver on Wednesday, was really Bob Spill, a notorious horse and cattle thief, safe-blower and bond-jumper, who has done time in several penitentiaries. The prisoners simply laughed when MacDonald called them by name.

Well Known in Spokane.

Spokane, Wash., June 3.—Downer, Torgensen and Golden, the three men held at Omaha for train robbery, are all well known to Spokane police, but in spite of numerous arrests, it is believed none of the trio ever was sentenced to prison. Downer and Torgensen were arrested at Everett last October, carrying dynamite and were cracking outfit, but were released after several months in jail. Golden is said to be wanted by the San Francisco police.

Banton Coffey and Bert Coffey, held here under \$10,000 bonds for the hold-up of the Great Northern mail near Colbert, positively deny any acquaintance with Downer and Golden.

May Be Ex-convicts.

Portland, Ore., June 3.—Two of eleven convicts who escaped from the Folsom (Cal.) penitentiary about eight years ago are named Woods and "Red Shirt" Gordon, and it is believed that they were connected with the Omaha gang.

Golden, it is said, was never captured, and although Woods was reported to have been killed in a fight near Reno, Nev., this fact has not been verified.

Directed From Spokane.

Denver, Colo., June 3.—After investigating the movements of Jack Shelton, under arrest here as the fourth man of the gang of train robbers that held up a Union Pacific train near Omaha, the police and postoffice inspectors now advance the theory that the operation of the gang, which are believed to include the Great Northern train robbery near Spokane, the Denver & Rio Grande robbery near Denver, and several other similar crimes, were directed from Spokane.

The police state that they have discovered that Shelton made several trips to Petersburg, Colo., to meet a man from Spokane, who was to have furnished money for the defense of Torgensen, Golden and Downer, arrested in Omaha. This money, say the police, was to have been given to Lillian Stephenson, who was arrested with Shelton, and taken by her to Omaha.

The police believe that the proceeds of all the robberies were sent to the head of the gang at Spokane.

WHEAT SHIPPED WEST.

New York, June 3.—For the first time in history wheat has been shipped back from New York to the west for consumption. Recent inquiries have been received from the west for wheat from New York. It is said that this unusual action is made possible by the great scarcity of wheat all through the west. No. 2 red sold here today at \$1.47, and \$1.50 was asked at the close.

CAUGHT BY BLOODHOUNDS.

Hamilton, O., June 3.—A murder, followed by a spectacular arrest, occurred in Middletown early today. The body of an aged umbrella mender was found in a lot. The head had been crushed and the man robbed. The police sent to Dayton for bloodhounds. The dogs three times led the police direct to the home of Perry McNeal, who was arrested.

INDICTMENTS EXPECTED.

Nevada Mining Company Accused of Beating the Bullion Tax.

(Special to The Herald.)

Goldfield, Nev., June 3.—Authorized announcement is made tonight that indictments will be reported tomorrow by the Esmeralda county grand jury against officers and directors of the Pittsburgh Silver Peak Mining company, on charges of conspiracy to defraud the state and county of bullion taxes due. The district attorney and state bullion tax agent have conducted an investigation into the matter, resulting in the indictments. Large discrepancies are shown between profits claimed in reports to stockholders and those incorporated in the bullion reports required by law, and the district attorney declares prosecutions will follow, involving charges of perjury. The companies have charged most of their profits against operating expenses and new equipment.

RIVERS OUT OF BANKS.

Fernie, B. C., June 3.—Owing the recent heavy rains and warm weather, the Elk river, which runs through Crow's Nest valley, is in flood and train service in that section is demoralized. The flood last night burst the boom of the Elk River Lumber company and many workmen are now engaged strengthening the banks of the stream. The westbound passenger train of the Canadian Pacific's Soo-Spokane service was held in Fernie yesterday on account of damage done to a bridge across the river at Elk. At Coal Creek the bank overflowed and several small buildings were carried away.

NO FURTHER NEWS.

Boise, Ida., June 3.—No further word concerning the landslide at Roosevelt, which caused the swollen streams of Mule creek and Monumental river to flood the town and carry away most of the buildings, was received today. It is a two days' ride over the mountains from Roosevelt to Smith's Ferry, the nearest telephone station.

TWO MEN DROWNED.

Seattle, Wash., June 3.—A dispatch from Dawson, Yukon territory, says that Edward Hambridge and William Harvey have been drowned in the Yukon river from a small boat, which capsized in Five Finger rapids. The men were traveling from Prince Rupert to Dawson.



A New Sport in Paris.

AGED DOCTOR WAS MURDERED

Startling Statement Made by Granddaughter of Dr. J. T. Binkley of Evansville, Ind.

Chicago, June 3.—The coroner's inquiry into the death of Dr. John T. Binkley, sr., of Evansville, Ind., who was found dead in a local hotel last night, was continued today until June 10, after Coroner's Physician Reinhardt had made a post-mortem examination of the body and discovered what he declared to be evidence in support of the theory that the aged physician did not commit suicide.

A startling statement supporting the murder theory was made by Miss Eleanor Upchurch, Dr. Binkley's granddaughter, at the coroner's hearing today.

"My grandfather was murdered, for I am sure it was the murderer who seized me just as I left the room right after discovering the body," said Miss Upchurch. "When I and my mother found grandfather dead in his chair and mamma was fainting in the hall, I ran toward the elevator to get a doctor. A man met me and grasped me by the arm. 'Where are you going?' he asked. I replied I was going down stairs.

"You can't go down stairs," he said, and started to drag me toward a room. I broke away from him and ran down the stairway, as he was between me and the elevator.

According to dispatches from Evansville, the dead physician's revolver has been found in his residence in that city.

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JUNIOR HEINZE IS BEDFAST

Brother of the Montana "Napoleon of Finance" Fainted in Theatre and Is in a Bad Way Generally.

New York, June 3.—Arthur P. Heinze, brother of the Montana copper magnate and financier, and who is just now the star figure in the United Copper company litigation, was reported today to be seriously ill at his home in Madison avenue. It was stated at his house that, while a member of a box party at the Belasco theatre a week ago Saturday night, he fainted between the first and second acts. A physician was called and it was ten minutes before Mr. Heinze recovered consciousness. Since then he is said to have been confined to his bed at his home. He made one attempt to get on his feet, which resulted in his falling to the floor, at his home it was said that Mr. Heinze is suffering with heart trouble and had been in poor health for a month or more before the incident at the theatre.

BANKER AND HIS SON CAPTIVES ON DESERT

Los Angeles, June 3.—Ralph Rogers, a banker of this city, has just returned from a vacation at Palm Springs, Riverside county, and relates a thrilling story of how he and his son, Leslie, were rescued by two Indian police from the Agua Caliente reservation, to whom they surrendered after being shot at several times. The Indians then handcuffed them together and held them in the hot sun on the desert for eight hours with the temperature at 115 degrees. The trouble arose over a question of land ownership. Mr. Rogers and his son were in the desert when they were captured by the Indian police. Rogers asserts that the Indian police were acting under orders from Miss Clara True, a government agent.

DRESSMAKER WANTED.

New York, June 3.—A letter from a woman signing herself as Mrs. M. Smith of 239 Colorado street, Butte City, Mont., begs the city clerk of New York to provide her home town with a really first-class dressmaker. She says in the letter that the only good dressmaker has moved away and that now she is unable to have gowns made the way she wants them. She writes that all the other prominent women of Butte City are in the same predicament.

DECISION RESERVED.

New York, June 3.—Supreme Justice Gay today heard argument and reserved decision on the application of John L. Dudley, a stockholder in the United States Express company, for the appointment of a temporary receiver. Counsel for Dudley told the court that the insolvency of the company was not claimed. The trouble, he said, was that the shareholders had no voice in the management.

MURDERED THE POLTERA GIRL

Mexican Arrested at Riverside, Cal., Confesses to Awful Crime at Los Angeles.

Los Angeles, Cal., June 3.—Sheriff Hammill and a deputy left this city in an automobile tonight for Riverside, where the authorities are holding a Mexican, who has confessed that he is the murderer of Annie Poltera, 9 years old. The girl was killed at the north limits of this city, three weeks ago.

Riverside, Cal., June 3.—Jose Martinez, about 60 years old, a Mexican, has been arrested here for an attempted assault upon a woman at her home. He answers in many respects descriptions of the Mexican suspected of the murder of Annie Poltera at Los Angeles, and the sheriff admits that he committed that crime. He tells of having thrown away a bloody shirt which was found by Los Angeles officers near the scene of the murder, and around his neck was found a strip of cloth evidently torn from a dress. The man talks in an irrational way regarding his movements, and a physician has been called to examine him. He is more than six feet tall and of powerful build.

CLEMINSON MURDER CASE

Husband Preparing to Make a Fight for His Life.

Chicago, June 3.—Police Captain Kane said today that he had practically abandoned hope of securing any further assistance from Dr. Halstead Cleminson, charged with the murder of his wife. Dr. Cleminson has secured an attorney and apparently has made up his mind to fight every inch of the case against him, said Captain Kane. "We are now investigating several clues, among them the coroner's report," he said. "There are many of these, and we have learned that Dr. Cleminson made his wife's death his life, except that he used no names."

Two detectives from the state attorney's office were detailed today to assist Captain Kane in his investigation.

UNITED COPPER COMPANY

Heinze Will Probably Be Re-elected President Today.

New York, June 3.—In a statement issued today by William J. Curtis, Sanford Heine, president of the United Copper company, members of the old board of directors of the United Copper company, who were ousted at yesterday's meeting of the company's stockholders, all four disposed directors express themselves as satisfied that the proceedings under which they were made to vacate their office were regular and legal.

Because of the absence of a quorum, the meeting of the new directorate was postponed until tomorrow.

At the office of the United Copper company it was said that F. Augustus Heinze was still indisposed, but that he expected to attend the meeting tomorrow, when in all probability he would be re-elected president.

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TRACK GAMBLING ISSUE IN COUNCIL

Martin Offers Resolution Directing Chief of Police to Stop Bookmaking.

LIVELY DEBATE ENSUES

O'DONNELL INTIMATES THAT MARTIN PICKED DEAD ONES.

"Be it resolved by this council, that the chief of police be, and he is hereby instructed to prevent the making of 'books' or any other form of gambling that may be found in Salt Lake City, and he is hereby instructed to enforce all laws prohibiting gambling in this city."

Councilman L. D. Martin created a stir in the city council last evening by introducing a resolution to prohibit betting on the horse races which are now being run at the fair grounds track. After a lengthy argument among the members of the city council, the resolution was laid over until next Monday evening.

In speaking for his resolution Councilman Martin showed the race horse men and others connected with the track no quarter, and in most bitter terms denounced their methods. He said that the horse racing game was not allowed to flourish in Chicago or New York, and that it had been driven off the Pacific coast. "There is absolutely no reason why this blood-sucking game should be allowed to flourish here," declared Mr. Martin.

Councilman Fernstrom then arose and asked Mr. Martin to define gambling so that he could include in his resolution the poker games, which he alleged are now running in almost every saloon in the city. Councilman Fernstrom said that in the saloons about the city there were a large number of professional gamblers waiting to rob the "suckers" of their money while their families were forced to go without food in consequence.

Councilman O'Donnell in a rather sarcastic speech told the council that he had probably violated his oath of office for he had gone to the race track on several occasions and had placed bets on various races. He said that he had lost money, and at other times he had won, which was a source of pleasure to him. He implied in his talk that Mr. Martin had bet on the wrong horse and would no doubt have felt better toward the races had he won.

Put 'Em on Record.

"The crowd at the race track are a robbing, gambling, blood-sucking lot of people," said Mr. Martin. "If my resolution is not broad enough to put the races out of business, it will be amended by next Monday evening. This resolution will put every member of the city council on record as to their stand on gambling."

"Do you call betting on the horse races gambling?" asked Councilman O'Donnell.

"Yes, the rottenest and rankest sort," replied Mr. Martin.

Councilman Wood expressed himself as being in favor of the resolution, but said he was somewhat surprised at the source from whence it came. He took a "dig" at Councilman Martin as if doubting his sincerity, and said a few months ago a certain woman, came from Ogden with a proposition to build an establishment on the west side. He said there had been a great deal of talk on certain benefits which the city would derive from the proposition. In conclusion, he said if the city were going to have one evil, why not have them all, meaning if the stockade were allowed to run, why not the races.

On motion of Councilman Reddall the resolution went over until the next regular session of the council next Monday evening.

Councilman Fernstrom remarked that he knew but little about the gambling at the race track, but he did know of the gambling which was being conducted in the saloons about the city. As the resolution introduced by Mr. Martin was aimed directly at the race track betting, Mr. Fernstrom asked that the resolution be broad enough to take in the poker games also.

H. P. HENDERSON'S BRAVE STRUGGLE ENDED BY DEATH

Heart Unable to Withstand the Strain Incident to Attack of Pneumonia.

ONE OF SALT LAKE'S FOREMOST CITIZENS

DISTINGUISHED LAWYER AND PRESIDENT OF SCHOOL BOARD—CAME FROM MICHIGAN.

Judge Henry P. Henderson died at 11:30 o'clock last night at his home at 32 Fifth East street, after a brave struggle of weeks' duration. He was taken ill of pneumonia several weeks ago. After a gallant fight he recovered from the attack of pneumonia, but the shock to his system was so great that his heart weakened under the strain and his death resulted.

For the past week until Wednesday his condition was very much improved and his complete recovery was looked for. He was taken with a severe chill on Wednesday, however, and from this attack he never rallied. He was conscious until shortly before the end. At the time of his death Mrs. Henderson and his sister, Miss Kate Henderson of Mason, Mich., were with him.

Arrangements for the funeral have not yet been made. The body will be taken to Mason, Mich., for interment within the next few days.

Judge Henderson was president of the board of education of Salt Lake City at the time of his death. He had been a member of that body for the last six years and took an active interest in educational affairs. His work along educational lines alone won for him the confidence of everyone. As an example of the esteem in which he was held he was endorsed by all parties as a candidate for the school board and was elected without opposition.

By a peculiar coincidence two members of the school board from the Fifth ward have been called by death within the last few months. Joseph Obermeyer, member of the school board from the Fifth ward and a close personal friend of Judge Henderson, died only a few months ago. His death, also, was due to pneumonia.

Judge Henderson's Career.

Judge Henderson was born in Onondaga county, New York, in September, 1843. He moved to Mason, Mich., when he was only 2 or 3 years old. He was educated in the public schools at Mason and was graduated from the law school of the University of Michigan. He was appointed clerk of the supreme court of Michigan before he was of age. Later he was clerk of Ingham county, Michigan. He was elected a member of the lower house of the Michigan legislature in 1872 and served two years.

In 1886 Judge Henderson was appointed by President Cleveland judge of the territorial court in Utah. He served both as district judge and associate justice of the supreme court of the territory. He retired from the bench in 1890 and entered into a law partnership with Senator Arthur Brown, which continued until 1905.

In 1897 Judge Henderson was one of the leading candidates for United States senator from Utah. He was one of the principal speakers at the convention of the Utah National bank of Ogden, which were the other participants, and

which resulted in a deadlock for several weeks.

Judge Henderson was a finished orator and his political speeches were classics. Since January, 1906, Judge Henderson has been the senior member of the law firm of Henderson, Pierce, Critchlow & Barrette.

Judge Henderson was married in Mar., 1869, to Josephine Turner of Mason, Mich. He is survived by his widow, his sister, Miss Kate Henderson, and one brother, Wade Henderson. His brother and sister live in Mason. H. H. Henderson of Ogden is a cousin and Ralph Hoag, cashier of the Utah National bank of Ogden, is a nephew.

KILLED BY ACCIDENT.

(Special to The Herald.)

Cheyenne, Wyo., June 3.—Little Laura Parker, the 11-year-old daughter of G. W. Parker of Grover, Colo., who was shot through the brain by her half brother, Moberly Morris, aged 15 years, died at St. John's hospital this morning. The shooting was accidental and occurred Sunday evening at Grover. The children were playing with a small-bore rifle when, as Morris attempted to force a cartridge into the gun, it was discharged.

SOUTH HONORS ANNIVERSARY OF THE BIRTH OF CONFEDERATE CHIEFTAIN

Montgomery, Ala., June 3.—The state house, the first capitol of the Confederate states, was closed today in honor of the Jefferson Davis anniversary. The brass star on the capitol dome was removed to receive the wreath of the Jefferson Davis anniversary. The wreath of the Jefferson Davis anniversary was draped with the colors of the lost cause.

Fairview, Ky., June 2.—Among the trees which have grown up about the birthplace of Jefferson Davis since the year, early in the nineteenth century, when the Davis family removed to Mississippi, the Jefferson Davis Memorial park was dedicated today. Northeast across the state is Hodgenville, near which Lincoln was born eight months after his great opponent.

In September, 1907, when the gray ranks of Kentucky's famous "Orphan Brigade" met in Glasgow, Ky., at the grave of General Joseph H. Lewis, the commander of the former Governor Buckner of Kentucky broached the plan of the Jefferson Davis Memorial association. Subscriptions were started, the women

of the south aiding ably, and when all but \$4,000 had been raised to purchase the site, General H. Young, commanding the Kentucky division, United Confederate Veterans, advised that sum and made the memorial possible.

Oratory, music and flowers made today notable. A basket dinner and a barbecue were provided by the people of Todd county, Christian county, which share equally the town of Fairview, and when Colonel W. A. Milton of Louisville, as chairman in the absence of General Young, opened the meeting, the hostesses of the Davises were crowded.

General Young, the chief address of the day, and it was read by Colonel Milton. General Young asserted that every southern state should rear a shaft to Jefferson Davis, whose character and sufferings he dwelt upon. He paid high tribute to Lincoln, saying that the time had come when men might speak kindly and truly of the past.

The plan is to raise \$30,000 more, to which to build a memorial temple to contain all the records of the confederacy and to remodel a two-story residence on the Davis farm to house the widows of confederate soldiers.

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